

103^D CONGRESS
2^D SESSION

H. R. 4388

To establish the Northern Great Plains Rural Development Commission,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1994

Mr. JOHNSON of South Dakota (for himself, Mr. POMEROY, Mr. PETERSON of Minnesota, Mr. MINGE, and Mr. BARRETT of Nebraska) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To establish the Northern Great Plains Rural Development Commission, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northern Great Plains
5 Rural Development Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) the rural economy of the Northern Great
9 Plains is undergoing a substantial and potentially
10 threatening transformation;

1 (2) the rural Northern Great Plains suffers
2 from substantial measurable poverty, unemployment,
3 outmigration, underemployment, aging of the popu-
4 lation, and low per capita income;

5 (3) the Northern great plains is highly rural
6 and has a highly dispersed population, and contains
7 many Native American reservations;

8 (4) many of the basic industries of the rural
9 Northern Great Plains in natural resources are
10 under stress;

11 (5) a concerted Federal, State, and local public
12 and private effort is needed if the rural Northern
13 Great Plains is to share in the general prosperity of
14 the United States;

15 (6) the creation of jobs and expansion of exist-
16 ing businesses, including small businesses, offer the
17 greatest hope for rural economic growth and revital-
18 ization in the Northern Great Plains;

19 (7) the availability of capital, technology, mar-
20 ket information, infrastructure development, edu-
21 cational opportunities, health care, housing, rec-
22 reational activities, and resource development are es-
23 sential to successful business development in the
24 rural Northern Great Plains;

1 (8) the transportation needs of the rural North-
2 ern Great Plains must be addressed through high-
3 way and bridge construction, air service availability,
4 and rail service and river transport development;

5 (9) because of the social, geographic, weather,
6 historical, and cultural ties of the rural Northern
7 Great Plains as well as common economic problems,
8 planning for this unique region is desirable and ur-
9 gently needed; and

10 (10) in the rural Northern Great Plains, the
11 tourism industry offers significant additional poten-
12 tial for supporting economic development and job
13 growth, fostered by the wise stewardship of natural
14 resources.

15 **SEC. 3. PURPOSE.**

16 The purpose of this Act is to establish the Northern
17 Great Plains Development Commission to study and make
18 recommendations regarding the economic needs and eco-
19 nomic development of the rural Northern Great Plains by
20 seeking and encouraging the participation of interested
21 citizens, public officials, groups, agencies, businesses, and
22 other entities in developing a 10-year rural economic de-
23 velopment plan for the Northern Great Plains.

24 **SEC. 4. DEFINITIONS.**

25 As used in this Act:

1 (1) CHAIRPERSON.—The term “chairperson”
2 means the chairperson of the Commission.

3 (2) COMMISSION.—The term “Commission”
4 means the Northern Great Plains Rural Develop-
5 ment Commission.

6 (3) NORTHERN GREAT PLAINS.—The term
7 “Northern Great Plains” means the States of North
8 Dakota, South Dakota, Nebraska, Iowa, and Min-
9 nesota.

10 (4) STATE.—The term “State” means a State
11 in the Northern Great Plains.

12 **SEC. 5. ESTABLISHMENT.**

13 There is established a Commission to be known as
14 the “Northern Great Plains Rural Development Commis-
15 sion”.

16 **SEC. 6. MEMBERSHIP AND ORGANIZATION.**

17 (a) MEMBERSHIP.—The Commission shall be com-
18 posed of 10 members, of whom—

19 (1) 1 member shall be appointed by the Gov-
20 ernor of each State; and

21 (2) 1 member shall be appointed from each of
22 the States by the United States Secretary of Agri-
23 culture.

1 (b) TERM.—Each member of the Commission shall
2 serve for such term as the official who appoints the mem-
3 ber determines is appropriate.

4 (c) QUORUM.—Five members of the Commission
5 shall constitute a quorum, but the Commission may estab-
6 lish that a lesser number shall constitute a quorum for
7 the purpose of conducting hearings.

8 (d) MEETINGS.—

9 (1) FIRST MEETINGS.—Five or more members
10 appointed under subsection (a)(1) shall determine
11 the date, time, and place of the first meeting, and
12 shall call the first meeting. At the first meeting, the
13 members of the Commission shall appoint a chair-
14 person from among the members appointed under
15 subsection (a)(1). The first meeting of the Commis-
16 sion shall be held not later than 45 days after the
17 date of enactment of this Act.

18 (2) ADDITIONAL MEETINGS.—The Commission
19 shall conduct such additional meetings as the com-
20 mission determines are appropriate.

21 (e) APPOINTMENTS.—Each appointment under this
22 Act shall be made not later than 30 days after the date
23 of enactment of this Act.

24 (f) VACANCIES.—A vacancy on the Commission shall
25 not affect the powers of the Commission and shall be filled

1 in the same manner in which the original appointment was
2 made.

3 (g) HEADQUARTERS.—The Commission shall estab-
4 lish the location for the headquarters of the Commission.

5 **SEC. 7. DUTIES.**

6 (a) PLAN.—The Commission shall identify and study
7 the economic development, infrastructure, technology,
8 telecommunications, capital, employment, transportation,
9 business resource development, education, health care,
10 housing, and recreation needs of the Northern Great
11 Plains and develop a 10-year plan that makes rec-
12 ommendations and establishes priorities to address the
13 needs.

14 (b) PREPARATION OF PLAN.—In developing the plan,
15 the Commission shall, with respect to the Northern Great
16 Plains—

17 (1) sponsor and conduct investigations, research
18 studies, and field hearings;

19 (2) review and evaluate available research, stud-
20 ies, and information on conditions in the areas re-
21 ferred to in subsection (a);

22 (3) study the economy, identifying strengths,
23 weaknesses, participation levels, opportunities, and
24 methods of addressing outmigration;

1 (4) develop a profile of, and a description of re-
2 sources devoted to, economic development (including
3 tourism), human resources (including demographics,
4 outmigration, poverty, Native Americans, education,
5 and training), infrastructure (including air, water,
6 highway, rail, and telecommunications), and natural
7 resources;

8 (5) study and evaluate the economic develop-
9 ment resources, coordination, collaboration, and
10 “best practices” of the Federal, State, and local gov-
11 ernments, nonprofit organizations, universities, busi-
12 nesses, agricultural and natural resources groups,
13 foundations, cooperatives, and other organizations;

14 (6) identify methods of facilitating the employ-
15 ment and business startups of unemployed, under-
16 employed, and low-income individuals and house-
17 holds;

18 (7) identify effective methods for promoting de-
19 velopment on Native American reservations;

20 (8) study the availability of methods of deliver-
21 ing public, private, and nonprofit capital and tech-
22 nical assistance for business startups and expan-
23 sions, including farming and ranching;

24 (9) evaluate the availability of, need for, and
25 strategies for providing and maintaining, the infra-

1 structure, including air, water, highway, rail, and
2 telecommunications;

3 (10) study the structure and potential develop-
4 ment of major industries, including agriculture, tim-
5 ber, mining, tourism, and manufacturing (including
6 the use of advanced technologies and processes and
7 adding value to raw materials and component parts);

8 (11) study the competence and availability of
9 the labor force, including the health, educational,
10 training, housing, and economic needs of the labor
11 force;

12 (12) develop an inventory of water, mineral, en-
13 ergy, timber, agricultural, fishery, wildlife, and other
14 natural resources;

15 (13) assess the comparative cost of doing busi-
16 ness;

17 (14) assess the international trading levels,
18 markets, and practices, and potential opportunities;

19 (15) assess the interconnection between metro-
20 politan and rural areas and identify methods
21 through which the areas can collaborate;

22 (16) assess methods by which small commu-
23 nities and regions are collaborating or can collabo-
24 rate in economic development initiatives;

25 (17) evaluate—

1 (A) the distribution and impact of Federal
2 spending, including grant-in-aid programs, re-
3 search, and Federal procurement, and compare
4 the level of spending in these categories with
5 spending in other regions of the country; and

6 (B) the extent to which reliance on Fed-
7 eral, State, and local government outlays for
8 poverty programs can be reduced by outlays
9 targeted for economic development;

10 (18) identify Federal, State, and local govern-
11 ment programs, policies, and regulations that en-
12 hance or obstruct the development of businesses and
13 well-paying jobs with long-term potential and that
14 effectively use the skills, education, and training of
15 the labor force;

16 (19) evaluate the potential for States to jointly
17 finance projects and activities of regional benefit;
18 and

19 (20) analyze such other issues as the Commis-
20 sion determines are relevant to future economic de-
21 velopment.

22 (c) DEVELOPMENT OF PLAN.—In developing the
23 plan, the Commission shall—

24 (1) provide a forum for the consideration of the
25 problems of the rural Northern Great Plains and

1 proposed solutions, and establish and utilize citizens
2 groups, special advisory councils, public hearings,
3 and conferences;

4 (2) seek and encourage the participation of in-
5 terested citizens, public officials, groups, agencies,
6 economic development organizations, natural re-
7 source organizations, and other organizations;

8 (3) make the Commission accessible to the indi-
9 viduals, groups, agencies, and organizations referred
10 to in paragraph (2) by holding at least 1 well pub-
11 licized public hearing in each State; and

12 (4) consult with—

13 (A) Federal, State, and local government
14 agencies, including the Departments of Agri-
15 culture, Commerce, Education, Labor, Health
16 and Human Services, Housing and Urban De-
17 velopment, and Transportation, and the Small
18 Business Administration, bank regulatory agen-
19 cies, and rural development councils;

20 (B) banks, insurance companies, venture
21 capital companies, and other for-profit financial
22 institutions;

23 (C) nonprofit and community-based devel-
24 opment organizations, revolving loan funds, and
25 other organizations;

- 1 (D) industry and sectoral organizations;
- 2 (E) foundations and universities; and
- 3 (F) other organizations involved in eco-
- 4 nomic development activities.

5 **SEC. 8. COMPENSATION OF MEMBERS.**

6 (a) MEMBERS APPOINTED BY GOVERNORS.—Each
7 member of the Commission appointed by a Governor of
8 a State may be compensated by the State that the member
9 represents.

10 (b) MEMBERS APPOINTED BY THE SECRETARY.—
11 Each member appointed by the Secretary of Agriculture,
12 who is not otherwise employed by the United States Gov-
13 ernment, shall receive compensation at a rate determined
14 by the Secretary, not to exceed the daily equivalent of the
15 lowest annual rate of basic pay payable for grade GS-15
16 of the General Schedule under section 5332 of title 5,
17 United States Code, including travel-time, for each day
18 the member is engaged in the actual performance of the
19 duties of the Commission. A member of the Commission
20 appointed by the Secretary who is an officer or employee
21 of the United States Government shall serve without addi-
22 tional compensation.

23 (c) TRAVEL AND OTHER EXPENSES.—Each member
24 of the Commission shall be allowed travel expenses, includ-
25 ing per diem in lieu of subsistence, at rates authorized

1 for employees of agencies under subchapter I of chapter
2 57 of title 5, United States Code, while away from the
3 home or regular place of business of the member in the
4 performance of services for the Commission. Each member
5 of the Commission shall also be reimbursed by the United
6 States Government for other necessary expenses incurred
7 by the member in the performance of the duties of the
8 member.

9 **SEC. 9. POWERS AND ADMINISTRATIVE PROVISIONS.**

10 (a) EXPERTS AND CONSULTANTS.—The Commission
11 may obtain the services of experts and consultants in ac-
12 cordance with section 3109 of title 5, United States Code.

13 (b) FINANCIAL AND ADMINISTRATIVE SERVICES.—
14 The Commission may enter into agreements with the Ad-
15 ministrator of General Services for the procurement of
16 necessary financial and administrative services, for which
17 payment shall be made by reimbursement from funds of
18 the Commission in such amounts as are agreed on by the
19 chairperson and the Administrator of General Services.

20 (c) CONTRACTS.—Subject to subsection (d), the Com-
21 mission may enter into contracts with Federal and State
22 agencies and private firms, institutions, and agencies for
23 the conduct of research and surveys, the preparation of
24 reports, and other activities necessary to carry out the du-
25 ties of the Commission.

1 (d) SUPPLIES, SERVICES, PROPERTY, AND CON-
2 TRACTS.—The Commission may procure supplies, serv-
3 ices, and property, and make contracts in any fiscal year,
4 only to such extent and in such amounts as are provided
5 in appropriation Acts.

6 (e) HEARINGS.—The Commission or, on the author-
7 ization of the Commission, a member of the Commission
8 may, for the purpose of carrying out this Act, hold such
9 hearings, sit and act at such times and places, and request
10 the attendance and testimony of such witnesses and the
11 production of such books, records, memoranda, papers,
12 and documents as the Commission or the member consid-
13 ers appropriate.

14 (f) INFORMATION.—The Commission may acquire di-
15 rectly from any executive department, bureau, agency,
16 board, commission, office, independent establishment, or
17 instrumentality, information, suggestions, estimates, and
18 statistics for the purpose of this Act. Each department,
19 bureau, agency, board, commission, office, establishment,
20 or instrumentality shall provide, to the extent permitted
21 by law, the information, suggestions, estimates, and statis-
22 tics directly to the Commission, upon request by the chair-
23 person.

24 (g) PERSONNEL.—

1 (1) IN GENERAL.—Without regard to the provi-
2 sions of title 5, United States Code, governing ap-
3 pointments in the competitive service, and without
4 regard to chapter 51 and subchapter III of chapter
5 53 of such title relating to classification and General
6 Schedule pay rates, the chairperson of the Commis-
7 sion may appoint, terminate, and fix the compensa-
8 tion of an Executive Director and such additional
9 personnel as the chairperson determines are nec-
10 essary to enable the Commission to carry out the du-
11 ties of the Commission.

12 (2) COMPENSATION.—The rate of compensation
13 of the Executive Director may not exceed a rate
14 equal to the daily equivalent of the annual rate of
15 basic pay payable for level V of the Executive Sched-
16 ule under section 5316 of such title. The rate of
17 compensation of all other personnel may not exceed
18 a rate equal to the daily equivalent of the lowest an-
19 nual rate of basic pay payable for grade GS-15 of
20 the General Schedule under section 5332 of such
21 title.

22 (h) ASSISTANCE FROM OTHER AGENCIES.—Upon re-
23 quest of the Commission, the head of any Federal agency
24 may make any of the facilities and services of the agency
25 available to the Commission or detail any of the personnel

1 of the agency to the Commission, on a reimbursable basis,
2 to assist the Commission in carrying out the duties of the
3 Commission under this Act. If the head of an agency de-
4 termines that the agency cannot make the facilities, serv-
5 ices, or personnel available to the Commission, the head
6 shall notify the chairperson in writing.

7 (i) **POSTAL SERVICES.**—The Commission may use
8 the United States mails in the same manner and under
9 the same conditions as other departments and agencies of
10 the United States.

11 **SEC. 10. REPORTS.**

12 (a) **INTERIM REPORT.**—Before the end of the 270-
13 day period beginning on the date of the first meeting of
14 the Commission under section 6(d)(1), the Commission
15 shall submit a report to the Secretary of Agriculture, the
16 President pro tempore of the Senate, the Committee on
17 Agriculture, Nutrition, and Forestry of the Senate, the
18 Speaker of the House of Representatives, the Committee
19 on Agriculture of the House of Representatives, the Presi-
20 dent, and the Governor of each State, describing the find-
21 ings and activities of the Commission and the further ac-
22 tivities necessary to carry out the duties of the Commis-
23 sion.

24 (b) **FINAL REPORT.**—

1 (1) IN GENERAL.—Before the end of the 18-
2 month period beginning on the date of the first
3 meeting of the Commission under section 6(d)(1),
4 the Commission shall submit to the Secretary of Ag-
5 riculture, the President pro tempore of the Senate,
6 the Committee on Agriculture, Nutrition, and For-
7 estry of the Senate, the Speaker of the House of
8 Representatives, the Committee on Agriculture of
9 the House of Representatives, the President, and the
10 Governor of each State, a report describing the find-
11 ings and activities of the Commission and rec-
12 ommendations in accordance with paragraph (2) re-
13 garding specific actions that are necessary to pro-
14 mote the economic development of the rural North-
15 ern Great Plains while preserving, to the maximum
16 extent possible, the natural beauty and habitat of
17 the Northern Great Plains.

18 (2) RECOMMENDATIONS.—

19 (A) REGIONAL COLLABORATION.—The
20 Commission shall, with respect to the Northern
21 Great Plains—

22 (i) determine the most effective and
23 appropriate method for ensuring continued
24 collaboration within the region on economic
25 development matters, considering regional

1 compacts, cooperatives, foundations, devel-
2 opment corporations, and other agreements
3 and organizations;

4 (ii) identify the organizational struc-
5 ture, method of financing, functions, and
6 participating organizations, of the collabo-
7 ration referred to in clause (i);

8 (iii) identify methods of effective
9 multi-community, substate, and small re-
10 gion development; and

11 (iv) assess the interconnection be-
12 tween metropolitan and rural areas and
13 identify methods of collaboration between
14 the areas.

15 (B) BUSINESS DEVELOPMENT.—The Com-
16 mission shall, with respect to the rural North-
17 ern Great Plains—

18 (i) recommend methods of diversifying
19 the rural economy, including the develop-
20 ment and financing of value-added and
21 new-use agricultural products;

22 (ii) develop methods to promote and
23 finance beginning owner-occupied farming
24 and ranching operations;

1 (iii) recommend methods of promoting
2 entrepreneurial development, including
3 business startups and expansions;

4 (iv) recommend methods in which the
5 public, private, and nonprofit sectors can
6 help increase international trading levels
7 and penetrate new markets in agricultural,
8 manufactured, and service products;

9 (v) evaluate the potential utility of
10 business and manufacturing networks in
11 target sectors;

12 (vi) assess the competitiveness of
13 manufacturers and the use of modern tech-
14 nology, process, and information by the
15 manufacturers, and methods of assisting
16 manufacturers lacking the technology,
17 processes, or information;

18 (vii) recommend methods in which
19 capital and technical assistance can be pro-
20 vided on a regional or sectoral basis to
21 business startups and expansions by pub-
22 lic, private, and nonprofit organizations;
23 and

24 (viii) recommend ways in which Fed-
25 eral and State resource conservation pro-

1 grams can be used to encourage tourism in
2 the region.

3 (C) CAPITAL.—The Commission shall, with
4 respect to the rural Northern Great Plains—

5 (i) determine if there are capital needs
6 in the economy, and in what part of the
7 economy the needs are located, and rec-
8 ommend how governmental, nonprofit, co-
9 operative, community-based, microlending,
10 banking, venture, seed, and nonbanking fi-
11 nancing sources can assist in meeting the
12 needs;

13 (ii) identify such strategies in organi-
14 zation, regulations, policy, marketing, and
15 coordination as are needed to implement a
16 plan to meet the needs referred to in
17 clause (i); and

18 (iii) recommend methods of utilizing
19 secondary financial markets to increase the
20 capital available for business development.

21 (D) INFRASTRUCTURE.—The Commission
22 shall, with respect to the rural Northern Great
23 Plains—

24 (i) prepare a plan to preserve, finance,
25 and operate effective freight railroad serv-

1 ice in coordination with States, the Federal
2 Railroad Administration, the Interstate
3 Commerce Commission, rail operators,
4 shippers, and the financial community;

5 (ii) prepare an assessment and agree-
6 ment on the capital needs, coordination,
7 and financing of telecommunications infra-
8 structure, in cooperation with the Depart-
9 ment of Agriculture, the National Tele-
10 communications and Information Adminis-
11 tration of the Department of Commerce,
12 the Federal Communications Commission,
13 the public utilities commission of each
14 State, telephone companies and coopera-
15 tives, representative users, and such other
16 entities as the Commission determines are
17 appropriate; and

18 (iii) recommend strategies for ad-
19 dressing air, water, and highway needs.

20 (E) HUMAN RESOURCES.—The Commis-
21 sion shall, with respect to the rural Northern
22 Great Plains—

23 (i) identify methods of facilitating the
24 employment and business startups of indi-
25 viduals who are not effectively participat-

1 ing in the labor force, including unem-
2 ployed, underemployed, and low-income in-
3 dividuals and households;

4 (ii) identify methods of coordinating
5 on a regional or sectoral basis education
6 and training programs that are tied to eco-
7 nomic development initiatives, especially
8 programs that address the outmigration of
9 youth; and

10 (iii) study the competence and avail-
11 ability of the labor force and the effects of
12 the health, educational, training, housing,
13 and economic needs of the labor force, and
14 identify regional strategies addressing the
15 needs.

16 (F) GOVERNMENT PROGRAMS, POLICIES,
17 AND REGULATIONS.—The Commission shall
18 submit to the appropriate government, non-
19 profit, and private sector organizations rec-
20 ommendations for modifications or additions to
21 the programs, policies, and regulations referred
22 to in section 7(b)(18) to promote the rural de-
23 velopment of the Northern Great Plains.

24 **SEC. 11. TERMINATION.**

25 The Commission shall terminate on the earlier of—

1 (1) 120 days after the date of submission of the
2 final report under section 10; and

3 (2) 2 years after the date of enactment of this
4 Act.

5 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

6 There are authorized to be appropriated such sums
7 as are necessary to carry out this Act.

○

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